

REMARKS

Applicants acknowledge receipt of the Examiner's Office Action dated September 10, 2003. This Office Action rejects all 18 initially filed claims under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,003,130 issued to Anderson "Anderson". In light of the foregoing amendments and following remarks, Applicants respectfully request the Examiner's reexamination and reconsideration of all pending claims.

In rejecting initial claim 1, the Office Action alleges that Anderson discloses a microprocessor positioned on a daughterboard, when said microprocessor includes a development port citing Column 3, lines 28 – 30 and Column 6, lines 9 – 26 in support thereof. Applicants have amended claim 1 to make clear that the development port is configured to be coupled to an emulator device external to the microprocessor. Applicants have reviewed Column 3, lines 28 - 30 and Column 6, lines 9 – 26 and can find no teaching or suggestion of this limitation either alone or in combination with the remaining limitations of amended independent claim 1.

The development port of the microprocessor in amended claim 1 is configured to receive distinct data: (1) boot-up code from said storage device, and (2) data from an emulator device external to the microprocessor. While Anderson may disclose in Column 3, lines 28 – 30 and Column 6, lines 9 – 26 a microprocessor having a port, these cited sections do not teach or fairly suggest that the port is configured to receive distinct data as set forth in amended claim 1.

It is noted that the specification of this application describes an emulator with name Code TAP™, available from Applied Microsystems Corporation, as an example of

an emulator that could be coupled to the development port recited within claim 1. The specification also notes that emulator devices are typically used for testing microprocessors and are not typically coupled to a development port during normal operation of a microprocessor. Accordingly, Applicants submit that claim 1, as amended, is patentably distinguishable over the cited sections of Anderson.

Claims 2 and 3 depend from independent claim 1. Insofar as independent claim 1 has been shown to be patentably distinguishable, it follows that claims 2 and 3 are likewise patentably distinguishable. Additionally, claim 3 as amended recites that the boot-up code received by the development port comprises “configuration information for configuring the memory controller of the daughterboard.” In rejecting initially filed claim 3, the Office Action alleges that Anderson teaches in Figure 2 and in Column 2, line 59 – Column 3, line 22, that Anderson discloses a memory controller and were in the boot-up code includes memory controller configuration information. Applicants have reviewed the cited sections of Anderson and could find no teachings or fair suggestion of memory controller configuration information. Moreover, Applicants have reviewed these cited sections and can find no teaching or fair suggestion that the memory controller information alleged to be contained within Anderson, is used to configure the memory controller alleged to be contained within Anderson.

Independent claim 4 was amended to recite that the development port “receives data from an emulator device external to the microprocessor when the development port is coupled to the emulator device.” In rejecting initially filed claim 4, the Office Action asserts that Anderson teaches a development port citing Column 4, lines 44 – 67 and Column 6, lines 14 – 26 in support thereof. Applicants have reviewed these cited

sections and can find no teaching or fair suggestion of a development port which can receive data from an emulator device external to the microprocessor when the development port is coupled to the emulator device. Accordingly, Applicants submit that amended claim 4 is patentably distinguishable over Anderson.

Claims 5 – 8 and 10 depend from independent claim 4. Insofar as independent claim 4 has been shown to be patentably distinguishable over Anderson, it follows that claims 5 – 8 and 10 are likewise patentably distinguishable.

Independent claim 11 has been amended to recite that the development port receives data from an emulator device external to the microprocessor when the development port is coupled to the emulator device. Applicants have reviewed the sections cited in Anderson that formed the basis of the Examiner's rejection of initially filed claim 11. Applicants can find no teaching or fair suggestion of the limitation added to claim 11. Accordingly, Applicants submit that independent claim 11 is patentably distinguishable over Anderson.


Claims 12 – 16 and 18 depend from independent claim 11. Insofar as independent claim 11 has been shown to be patentably distinguishable over Anderson, it follows that claims 12 – 16 and 18 are likewise patentably distinguishable.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at (512) 439-5093.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

11/10/03

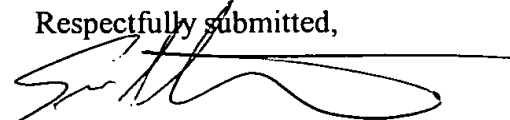


Attorney for Applicant(s)

11/10/03

Date of Signature

Respectfully submitted,



Eric A. Stephenson
Attorney for Applicant(s)
Reg. No. 38,321
(512) 439-5093 [Phone]
(512) 439-5099 [Fax]